



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION OF: Clive Patience

SERIAL NO: 09/766,154

Art Unit: 1632

FILED: 19 January 2001

Examiner: Wehbe, A. M.

FOR: SWINE DEFECTIVE FOR TRANSMISSION OF PORCINE  
ENDOGENOUS RETROVIRUS AND USES THEREOF

DOCKET NO: 61750-311

25 August 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

MAIL STOP: RCE

**TRANSMITTAL**

Sir:

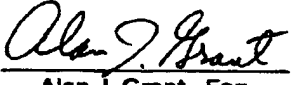
In response to the Office Action dated 24 February 2003, Applicants respond by submitting the following materials:

1. Request for additional 2 month extension of time to respond (large entity);
2. Request for Continued Examination (Form PTO/SB/30 - 1 sheet);
3. Check for \$1,570.00 (\$750.00 to cover Request for Continued Examination for large entity and \$820.00 for additional 2 month extension of time for a large entity for a total of 3 months less the \$110.00 already paid for the first month extension); and
4. Return Postcard.

Serial No.: 09/766,154  
Filed: 19 January 2001

Because the statutory 6 month date for response ended on 24 August 2003, which was a Sunday, the papers are being timely filed on Monday, 25 August 2003. In addition, because an earlier 1 month extension of time was obtained, only an additional 2 month extension is needed and was requested in the accompanying Petition. Thus, the fee enclosed for extension for a large entity is \$930.00 less \$110.00 for a total of \$820.00.

Applicants request that the Commissioner charge any additional fee for this extension of time, or credit any overpayment, to Deposit Acct. No. 03-0678.

<b>FIRST CLASS CERTIFICATE</b>	
I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:	
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
 Alan J. Grant, Esq.	<u>8/25/03</u> Date

Respectfully submitted,



Alan J. Grant, Esq.  
Reg. No. 33,389

CARELLA, BYRNE BAIN, GILFILLAN,  
CECCHI, STEWART & OLSTEIN  
Six Becker Farm Road  
Roseland, NJ 07068  
Phone: 973-994-1700  
Fax: 973-994-1744



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/30 (11-01)

1500-#18  
10/1/03

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**  
Address to:  
**Commissioner for Patents  
Box RCE  
Washington, DC 20231**

Application Number	09/766,154
Filing Date	19 January 2001
First Named Inventor	Clive Patience
Art Unit	1632
Examiner Name	A. M. Wehbe
Attorney Docket Number	61750-311

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on 24 June 2003  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☒ Other Inventor Declaration
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-0678
- i. ☒ RCE fee required under 37 CFR 1.17(e) **08/28/2003 MBERNE 00000043 09766154**
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) **01 FC:1801**
- iii. ☐ Other \_\_\_\_\_ **750.00 CP**
- b. ☒ Check in the amount of \$1,570.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Alan J. Grant	Registration No. (Attorney/Agent)	33,389
Signature	<i>Alan J. Grant</i>	Date	25 August 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Alan J. Grant	Date	25 August 2003
Signature	<i>Alan J. Grant</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are requested to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.